

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

JH

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

RECEIVED

9-6-16  
SEP 06 2016

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Javier Perez

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

vs.

TOM Dart

1:16-cv-8711

Judge Milton I. Shadur of this Court  
Magistrate Judge Susan E. Cox  
PC5

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

CHECK ONE ONLY:

✓

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**



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**I. Plaintiff(s):**

- A. Name: Javier Perez
- B. List all aliases: NONE
- C. Prisoner identification number: M24478
- D. Place of present confinement: LINCOLN CORRECTIONAL CENTER
- E. Address: PO BOX 549, LINCOLN, IL 62656

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: \_\_\_\_\_  
Title: \_\_\_\_\_  
Place of Employment: COOK COUNTY JAIL
- B. Defendant: TOM DART  
Title: COOK COUNTY SHERIFF  
Place of Employment: \_\_\_\_\_
- C. Defendant: \_\_\_\_\_  
Title: \_\_\_\_\_  
Place of Employment: \_\_\_\_\_

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)



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**III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:**

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**



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#### IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Now comes, Javier Perez, with the core of my complaints the pain and suffering I received and the cruel and unusual punishments inflicted to me during my stay at The Cook County Jail. I was placed in Division 5 of the Cook County Jail, which at the time, was condemned. Its living quarters had spiders, roaches insects and mice running freely throughout the day room and cells. The cells I had been in all had mold - on the walls, ceilings, vents and near the toilets. I continuously, complained, complained and complained with no avail, staff simply moved me from one cell to another. Actually, my first night in Division 5, it was so overcrowded, I was made to sleep in the day room floor. After a few days I had seen the 1<sup>st</sup> floor's toilets back up on continuous bases flooding the cells and running on to the day room floor with urine and feces. The emotional stress and unsanitary living conditions were so heavy that



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it began to take a toll on my health. On  
occasion, staff were tired of my cries for help  
that I was taken to their health care services.....  
Yet, was not properly taken care of. the living  
areas were all contaminated with mold including  
the shower area (walls, ceilings and corner floors)  
while showering the ceiling would drip condensation  
while I took showers. Those driplets came off of  
molded ceilings onto me during showers.



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**V. Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like to be compensated for the Deliberate indifference, cruel and unusual Punishment and mental stress & anguish inflicted upon me - from my stay at the Cook County Jails unfit, run down, Rodent infested, mold contaminated and uninhabitable living conditions in Division 5 condemned Housing unit.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

**CERTIFICATION**

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 01 day of sep, 2016

Javier Perez  
(Signature of plaintiff or plaintiffs)

Javier Perez  
(Print name)

M24478  
(I.D. Number)

PO box 549  
Lincoln, IL 62656  
(Address)



Javier Perez  
#M24478  
PO BOX 549  
LINCOLN, IL 62656

1:16-cv-8711  
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Prisoner Correspondence  
United States District Court  
219 S. Dearborn Street 20th Floor  
CHICAGO, IL 60604

2016 SEP -6 PM 12:38

THE CORRESPONDENCE IS  
PROPERTY OF THE ILLINOIS  
DEPARTMENT OF CORRECTIONS

Legal work

